

EXPLANATORY STATEMENT

Issued by the authority of the Minister for Defence

Defence Act 1903

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 -2017 Amendment No.1

Purpose

Subsection 8(1) of the *Woomera Prohibited Area Rule 2014* provides that the Minister for Defence may, by legislative instrument, determine the exclusion periods for Amber Zone 1 and Amber Zone 2 in the Woomera Prohibited Area for a financial year.

The Minister has delegated the power to determine exclusion periods for a financial year.

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 -2017 Amendment No.1

Details of the Amendment are set out in Attachment 1.

Consultation

Consultation was not required in relation to this amendment on the basis that the determination of exclusion periods is an administrative process undertaken for each financial year.

Commencement

This amendment commences on the day after registration.

Statement of Compatibility with Human Rights -Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

A statement of compatibility with Human Rights is set out at Attachment 2.

Details of the Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 -2017 Amendment No.1

The Determination dated 23 March 2016 set out the dates on which holders of a permit issued under the *Woomera Prohibited Area Rule 2014* are excluded from entering the Amber Zone 1 and Amber Zone 2 during financial year 2016 -2017.

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 -2017 Amendment No.1 amends the exclusion periods for Amber Zone 1 and Amber Zone 2 by removing the exclusion periods between 14 August 2016 – 3 September 2016 for Amber Zone 1 and the exclusion periods between 14 August 2016 – 27 August 2016 for Amber Zone 2.

The removal of these exclusion periods will allow permit holders to enter the Woomera Prohibited Area at these times and as such is and is not adverse to any person's rights.

In accordance with this amendment, the remaining exclusion period for financial year 2016-2017 will be as follows:

Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016–2017

Exclusion Period	Zone to which the Exclusion Period applies
30 October 2016 – 5 November 2016	Amber Zone 1
6 November 2016 – 12 November 2016	Amber Zone 1
13 November 2016 – 19 November 2016	Amber Zone 1
20 November 2016 – 26 November 2016	Amber Zone 1
27 November 2016 – 3 December 2016	Amber Zone 1
4 December 2016 – 10 December 2016	Amber Zone 1
26 February 2017 – 4 March 2017	Amber Zone 1
5 March 2017 – 11 March 2017	Amber Zone 1
12 March 2017 – 18 March 2017	Amber Zone 1
19 March 2017 – 25 March 2017	Amber Zone 1
14 May 2017 – 20 May 2017	Amber Zone 1
21 May 2017 – 27 May 2017	Amber Zone 1
28 May 2017 – 3 June 2017	Amber Zone 1
4 June 2017 – 10 June 2017	Amber Zone 1
11 June 2017 – 17 June 2017	Amber Zone 1
18 June 2017 – 24 June 2017	Amber Zone 1
25 June 2017 – 30 June 2017	Amber Zone 1
30 October 2016 – 5 November 2016	Amber Zone 2
6 November 2016 – 12 November 2016	Amber Zone 2
13 November 2016 – 19 November 2016	Amber Zone 2
26 February 2017 – 4 March 2017	Amber Zone 2
5 March 2017 – 11 March 2017	Amber Zone 2
11 June 2017 – 17 June 2017	Amber Zone 2
18 June 2017 – 24 June 2017	Amber Zone 2
25 June 2017 – 30 June 2017	Amber Zone 2

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Woomera Prohibited Area Rule 2014

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 -2017 Amendment No.1

This amendment to the Determination under the *Woomera Prohibited Area Rule 2014* is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Amendment

The Determination made under subsection 8(1) of the *Woomera Prohibited Area Rule 2014* dated 23 March 2016 exercised the power of the Minister for Defence by her delegate to determine the exclusion periods for Amber Zone 1 and Amber Zone 2 in the Woomera Prohibited Area for the financial year 2016 -2017.

The Determination set out the dates in which holders of a permit issued under the *Woomera Prohibited Area Rule 2014* are excluded from entering the Amber Zone 1 and Amber Zone 2 during financial year 2016 -2017.

Woomera Prohibited Area Rule 2014 Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2016 -2017 Amendment No.1 amends the exclusion periods for Amber Zone 1 and Amber Zone 2 by removing the exclusion periods between 14 August 2016 – 3 September 2016 for Amber Zone 1 and the exclusion periods between 14 August 2016 – 27 August 2016 for Amber Zone 2.

The removal of these exclusion periods will allow permit holders to enter the Woomera Prohibited Area at this time and as such is and is not adverse to any person's rights.

Human rights implications

This amendment does not engage any of the applicable rights or freedoms and the current amendment can be considered to have a beneficial effect as it removes restrictions on access to the Woomera Prohibited Area.

Conclusion

This amendment is compatible with human rights as it does not raise any human rights issues.

Ms Samantha Higgins, Assistant Secretary Arms Control